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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/762,161	01/20/2004	Nobutaka Nishigaki	2102475-912332	3747

26379 7590 09/20/2005

DLA PIPER RUDNICK GRAY CARY US, LLP  
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EXAMINER
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DEBERADINIS, ROBERT L

ART UNIT	PAPER NUMBER
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2836

DATE MAILED: 09/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

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**Office Action Summary**

Application No.

10/762,161

Applicant(s)

NISHIGAKI ET AL.

Examiner

Robert DeBeradinis

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 20 January 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 36 and 51-59 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 36 is/are allowed.
- 6) ☒ Claim(s) 51-59 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| <p>1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)</p> <p>2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)</p> <p>3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br/>         Paper No(s)/Mail Date <u>1/20/04, 2/7/05, 9/6</u>.</p> | <p>4) <input type="checkbox"/> Interview Summary (PTO-413)<br/>         Paper No(s)/Mail Date. _____.</p> <p>5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)</p> <p>6) <input type="checkbox"/> Other: _____.</p> |
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## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 51-59 are rejected under 35 U.S.C. 102(b) as being anticipated by  
PIPPIN 5,838,578.

Regarding claims 51, 54.

PIPPIN teaches detecting a temperature of the semiconductor circuit based on the signal of the semiconductor circuit (figure 2); and controlling the clock frequency of the semiconductor circuit to be decreased by a system power controller when the temperature detected in the detection exceeds a first threshold (col. 2, line 49), and controlling the electronic apparatus to be powered off by the power controller when the temperature detected in the detection exceeds a second threshold higher than the first threshold (col. 14, line 3).

Regarding claim 55.

PIPPIN discloses an electronic apparatus comprising a circuit (figure 7), a temperature detection unit (sensor 100) configured to detect a temperature of the circuit to output a logic signal outside of the temperature detection unit when the detected temperature exceeds a threshold (abstract); and a system power controller (860)

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configured to power off the electronic apparatus based on the logic signal output from the temperature detection unit (figure 8).

Regarding claim 56.

PIPPIN discloses the apparatus according to claim 1 wherein the circuit includes a CPU (figure 11).

Regarding claim 57.

PIPPIN teaches a circuit; a temperature detection portion configured to detect a temperature of the circuit and to output an analog signal ( $V_{be}$ ) based on the temperature to outside of the temperature detection portion; an analog-digital converter configured to convert the analog signal from the temperature detection portion to a digital signal (col. 7, lines 20 plus); and a system power controller configured to control the computer to be powered off when a value of the digital signal exceeds a threshold value (critical temperature).

Regarding claims 52, 58.

PIPPIN teaches wherein the temperature detection portion includes a pn junction circuit ( $V_{be}$  is the voltage across a p-n junction).

Regarding claims 53, 59.

PIPPIN discloses wherein the circuit includes a CPU (figure 11).

***Allowable Subject Matter***

Claim 36 allowed.

The following is an examiner's statement of reasons for allowance: the prior art of record does not teach the delay-circuit element for detecting an internal temperature of said processor from a change in response delay of said delay circuit element.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication should be directed to Robert L. DeBeradinis whose number is (571) 272-2049. The Examiner can normally be reached Monday-Friday from 8:30 am to 5:00 pm.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Brian Sircus, can be reached on (571) 272-2058. The Fax phone number for this Group is (703) 872-9306.

RLD

SEPTEMBER 19, 2005

A handwritten signature in black ink, appearing to read 'Robert L. DeBeradinis', written in a cursive style.

**ROBERT L. DEBERADINIS**  
**PRIMARY EXAMINER**